

United States District Court

MAR -4 2019

SOUTHERN

DISTRICT OF

TEXAS

David J. Bradley, Clerk

UNITED STATES OF AMERICA

V.

CRIMINAL COMPLAINT

Pedro MARTINEZ-Reyes, YOB: 1979, MXC

Miguel Angel AYALA-Lavino, YOB: 1993, MXC

Alberto CASANOVA-Hernandez, YOB: 1998, MXC

CASE NUMBER:

M-19-0514-M

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about March 03, 2019 in Starr county, in the Southern District of Texas defendant(s) did, (Track Statutory Language of Offense)

Knowingly and Intentionally possess with Intent to Distribute approx. 108.0 kilograms or more of Marijuana, a Schedule I Controlled Substance.

Knowingly and Intentionally Conspire to possess with Intent to Distribute approx. 108.0 kilograms or more of Marijuana, a Schedule I Controlled Substance

in violation of Title 21 United States Code, Section(s) 846, 841 (a) (1)

I further state that I am a(n) DEA Task Force Officer and that this complaint is based on the following facts: See Attachment "A".

Continued on the attached sheet and made a part of hereof: ☒ Yes ☐ No

Approved AUSA LARA GARCIA
L-G-

[Signature]
Signature of Complainant
Carlos Mireles, DEA Task Force Officer

Sworn to before me and subscribed in my presence,

March 4, 2019
Date

At

McAllen, Texas

City and State

Peter E. Ormsby, U.S. Magistrate Judge

Name & Title of Judicial Officer

[Signature]
Signature of Judicial Officer

Attachment A

On March 3, 2019, at approximately 11:10 p.m., a United States Border Patrol (USBP) Agent, from the Rio Grande Border Patrol Section, was conducting line watch operations near La Grulla, Texas, in an area known as "Valley Onions." This area is notorious for alien and narcotics trafficking. As the USBP Agent was scanning an area known as "the ditch" with his night vision goggles, he observed four subjects carrying large bundles on their backs. The four subjects were observed traveling north in that same "ditch" that originates near the Rio Grande River.

Once other USBP Agents were near the location, the USBP Agent made his way to where the four subjects were and identified himself as a Border Patrol Agent. All four subjects then dropped the bundle they were carrying and laid down next to the bundles without absconding. The four subjects were identified as Miguel Angel AYALA-Lavino, Alberto CASANOVA-Hernandez, Pedro MARTINEZ-Reyes and a JUVENILE.

AYALA-Lavino, CASANOVA-Hernandez, MARTINEZ-Reyes and the JUVENILE were all transported to the McAllen Border Patrol Station for processing, along with the four (4) bundles of suspected marijuana. Once at the Border Patrol Station, the contents of the bundles were tested using the 908 Duquenois-Levine Reagent test kit and the results were positive for marijuana. The total weight of the four bundles was approximately 107.75 kilograms.

On March 4, 2019, at approximately 3:00 am, Task Force Agents from the McAllen DEA Office arrived at the McAllen Border Patrol Station and made contact with the three adults that were arrested with the bundles of marijuana. AYALA-Lavino, CASANOVA Hernandez and MARTINEZ-Reyes were all read their Miranda Warnings and they all waived their rights. CASANOVA-Hernandez informed the Agents that he was going to get paid \$400.00 USC to transport the marijuana into the United States. CASANOVA-Hernandez informed the Agents that AYALA-Lavino, MARTINEZ-Reyes and the JUVENILE were each carrying a bundle of marijuana into the United States.

MARTINEZ-Reyes claimed that he was not carrying a bundle of marijuana and was only crossing illegally into the United States.

AYALA-Lavino stated he did not carry a bundle of marijuana and was just crossing into the United States to reunite with his family. The statements made by MARTINEZ-Reyes and AYALA-Lavino contradict the observations of the USBP Agents. USBP Agents also reported that no other individuals were observed in the area where they arrested AYALA-Lavino, CASANOVA-Hernandez, MARTINEZ-Reyes and the JUVENILE.